

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BENTLEY A. HOLLANDER,**

**Plaintiff,**

**v.**

**ETYMOTIC RESEARCH, INC.,**

**Defendant.**

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**CIVIL ACTION**

**NO. 10-526**

**ORDER**

**AND NOW**, this \_\_\_\_ day of October, 2010, upon consideration of Defendant, Etymotic Research, Inc.'s Motion to Dismiss Plaintiff's Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and/or Federal Rule of Civil Procedure 12(b)(1) (Doc. 29); Plaintiff/Relator's Response in Opposition thereto (Doc. 35); Defendant Etymotic Research, Inc.'s Motion for Reconsideration to Transfer Pursuant to 28 U.S.C. §1401 (a) (Doc. 31); Plaintiff/Relator Bentley Hollander's Response in Opposition thereto (Doc. 32); and Defendant's Motion for Leave to File a Reply (Doc. 36), **IT IS HEREBY ORDERED and DECREED** that Defendant's Motions are **DENIED**.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**